

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Rajen Patel et al.
Serial No.	:	10/527,142
Filing Date	:	March 9, 2005
For	:	HIGH CLARITY, HIGH STIFFNESS FILMS
Group Art Unit	:	1794
Confirmation No.	:	9532
Examiner	:	Kruer, Kevin R.
Attorney Docket No.	:	DOW-31668-A-US

**DECLARATION OF RAJEN M. PATEL
UNDER 37 C.F.R. §1.132**

I, RAJEN PATEL, the undersigned Declarant, do hereby state and declare that:

1. I am intimately familiar with the above-referenced patent application (the '142 application). I am an inventor to the '142 patent application.
2. I have been employed with The Dow Chemical Company since 1991. My current position is Development Scientist, Plastics Technical Service and Development. I have over 18 years work experience with polyolefins. In 1984, I received a bachelor's degree in Chemical Engineering from the University of Bombay in India. In 1987, I earned a master's degree in Polymer Engineering from the University of Tennessee. In 1991, I earned my PhD in Polymer Engineering from the University of Tennessee. I am one skilled in the art of the present patent application.
3. I am familiar with the contents of the '142 application. I have read the Examiner's Office Action dated June 19, 2009 and U.S. Patent Application Publication No. 2001/0046606 to Tau et al. (*Tau*); U.S. Patent No. 6,835,462 to Sun et al. (*Sun*) cited therein.
4. The '142 application discloses polypropylene copolymers at page 5 lines 22-34. The '142 application provides no mention or suggestion that the polypropylene copolymers are

coupled propylene polymers. Correspondingly, none of the polypropylenes used in the examples of the '142 application are coupled propylene polymers. The polypropylene copolymers in our application are not coupled propylene copolymers.

5. *Tau's* multi-layer film requires at least one layer to contain a coupled propylene polymer. A coupled propylene polymer is structurally and rheologically distinct when compared to the uncoupled polypropylene copolymers disclosed in our patent application. For example, the propylene chains are joined together with a coupling agent in a coupled propylene polymer. This structural aspect of propylene chains coupled together is absent in the polypropylene copolymers of the '142 application. Coupled polymer chains provide the coupled propylene polymer with distinct rheological and physical properties (*i.e.*, MFR, melt point) when compared to the polypropylene copolymers. It is clear that the polypropylene copolymers disclosed in our application exclude coupled propylene polymers.
6. *Sun* does not disclose or suggest a film having at least three layers with properties and the layer composition as stated in our claims. *Sun* discloses two-layer films and provides examples of two-layer films in Tables VI and VII. *Sun* discusses a three layer film in general terms. However, nowhere does *Sun* disclose a three layer film with specific layer composition and specific properties for the film.
7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1002 of Title 18 of the United States Code, and that such wilful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this Rule 132 Declaration is directed.

Dated: _____

9/14/09


RAJEN M. PATEL